

**Security Council**

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**Letter dated 26 August 2013 from the Permanent Representative
of Mozambique to the United Nations addressed to the President of
the Security Council**

I have the honour to inform you that the eighteenth ordinary meeting of the Council of Ministers of the Community of the Portuguese-speaking Countries (CPLP) held on 18 July 2013, in Maputo, Mozambique, had as one of its agenda items "The situation in Guinea-Bissau". In this regard, it adopted two important documents, namely, the Declaration on the situation in Guinea-Bissau and the resolution on the dispatch of a Special Envoy to Guinea-Bissau (see annex). As a Chair of CPLP, I herewith submit both documents to you. I should be grateful if the present letter and its annex would be circulated as a document of the Security Council.

I take this opportunity to express my appreciation for the way in which you have led the work of the Security Council during the month of August.

(Signed) António **Gumende**
Ambassador
Permanent Representative



Annex to the letter dated 26 August 2013 from the Permanent Representative of Mozambique to the United Nations addressed to the President of the Security Council

Eighteenth ordinary meeting of the Council of Ministers of the Community of Portuguese-speaking Countries

Maputo, 18 July 2013

Declaration on the situation in Guinea-Bissau

The Council of Ministers of the Community of Portuguese-speaking Countries (CPLP), at its eighteenth ordinary meeting, held in Maputo on 18 July 2013;

Taking into account the Declaration of the ninth Conference of Heads of State and Government of CPLP, held in Maputo on 20 July 2012, on the situation in Guinea-Bissau;

Reaffirming the resolutions adopted by the eighth and ninth extraordinary meetings of the Council of Ministers;

Recalling the Statement issued on 12 June 2013 on the formation and establishment of an inclusive government in Guinea-Bissau;

Recalling United Nations Security Council resolutions 2048 (2012) and 2103 (2013);

Reiterating the solidarity and the unconditional support of CPLP to Guinea-Bissau;

Underlining the importance of the articulation of efforts between CPLP and the partner organizations of Guinea-Bissau to the political, social and institutional normalization of the country;

Considering that the formation of an inclusive government and the scheduling of general elections on 24 November 2013 constitute significant progresses towards the restoration of the constitutional order in Guinea-Bissau;

Affirming, on the other hand, that the lack of effective civilian control and oversight over the defence and security forces threatens the political process and the functioning of State institutions;

Welcoming the holding of the second joint assessment mission to Guinea-Bissau, from 7 to 11 July 2013, and the relevance of its preliminary observations and recommendations;

1. *Urges* the political actors of Guinea-Bissau to make all efforts in order to hold free, fair and transparent general elections, with full respect for democracy, humans rights and fundamental freedoms, on the date scheduled; and to implement the commitments made to reform the State, including the reform of the defence and security sector, of the judiciary system and of the public administration; *further urges them* to create the conditions for the return in safety and freedom to Guinea-Bissau of all its citizens in exile, and to combat impunity and drug trafficking;

2. *Calls upon* the international community to continue the coordination and convergence of its efforts in support of the return of Guinea-Bissau to constitutional normalcy and of the promotion of socioeconomic development, an indispensable element for peace consolidation and stability;

3. *Commends* the work of the Special Representative of the United Nations Secretary-General in Guinea-Bissau, José Ramos-Horta, and of the Special Representative of the African Union for Guinea-Bissau, Ambassador Ovídeo Pequeno, for the coordination of the international efforts for Guinea-Bissau; and the activities of the Executive Secretary of CPLP, Ambassador Murade Murargy, to deepen the dialogue with the Economic Community of West African States and other international organizations interested in Guinea-Bissau.

Maputo, 18 July 2013

Eighteenth ordinary meeting of the Council of Ministers of the Community of Portuguese-speaking Countries

Maputo, 18 July 2013

Resolution on the Deployment of a Special Representative for Guinea-Bissau

The Council of Ministers of the Community of Portuguese-speaking Countries (CPLP), at its eighteenth ordinary meeting, held in Maputo on 18 July 2013;

Recalling that the statutes of CPLP provide for in their article 5 encouraging cooperation among its members with the aim of promoting democratic practices, good governance and respect for human rights;

Reiterating the solidarity and the unconditional support of CPLP to Guinea-Bissau;

Underlining the importance of the articulation between CPLP and the partner organizations of Guinea-Bissau in their efforts aimed at the political, social and institutional normalization of the country;

Considering that the review of the Transitional Pact and of the Political Agreement, the appointment of the President and the members of the National Elections Commission and the scheduling of the general elections on 24 November 2013 are important measures towards the restoration of the constitutional order and the political, economic and social stabilization of Guinea-Bissau;

Considering the recommendations of the second joint assessment mission to Guinea-Bissau, from 7 to 11 July 2013, which affirm the need for a post-electoral agenda in order to undertake the reforms of the State, especially in the defence and security and justice sectors and in public administration;

Taking into account the need to coordinate the international efforts in support of Guinea-Bissau;

DECIDES:

1. *To appoint* a Special Representative of CPLP to follow, on the ground, the evolution of the situation in Guinea-Bissau until the conclusion of the electoral process and to submit to the member States a report on the relevance of the establishment of an office of CPLP in that country, once the institutional normalcy is restored, and taking into account the need to coordinate the international efforts to support Guinea-Bissau;

2. *To recommend* to the Standing Coordinating Committee to examine and define as soon as possible terms of reference for the Special Representative of CPLP for Guinea-Bissau.

Maputo, 18 July 2013

**Security Council**

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France and Spain: draft resolution

The Security Council,

Recalling all its previous resolutions on Lebanon, in particular resolutions 425 (1978), 426 (1978), 1559 (2004), 1680 (2006), 1701 (2006), 1773 (2007), 1832 (2008), 1884 (2009), 1937 (2010) and 2004 (2011), 2064 (2012) as well as the statements of its President on the situation in Lebanon,

Responding to the request of the Government of Lebanon to extend the mandate of UNIFIL for a new period of one year without amendment presented in a letter from the Lebanese Foreign Minister to the Secretary-General of 12 July 2013 and welcoming the letter from the Secretary-General to its President of 31 July 2013 (S/2013/457) recommending this extension,

Reiterating its strong support for the territorial integrity, sovereignty and political independence of Lebanon,

Reaffirming its commitment to the full implementation of all provisions of resolution 1701 (2006), and aware of its responsibilities to help secure a permanent ceasefire and a long-term solution as envisioned in the resolution,

Calling upon all concerned parties to strengthen their efforts to fully implement all provisions of resolution 1701 (2006) without delay,

Expressing deep concern at all violations in connection with resolution 1701 (2006), and *looking forward* to the rapid finalization of UNIFIL's investigations with a view to preventing such violations in the future,

Welcoming the constructive role played by the tripartite mechanism in de-escalating tensions and *expressing its support* for the efforts of UNIFIL to engage with both parties to further develop liaison and coordination arrangements,

Emphasizing the importance of full compliance with the prohibition on sales and supply of arms and related materiel established by resolution 1701,

Recalling the utmost importance that all parties concerned respect the Blue Line in its entirety, *welcoming* the continued progress in the marking of the Blue line, and *encouraging* the parties to accelerate their efforts in coordination with UNIFIL to visibly mark the Blue Line in its entirety, as well as to move forward on the marking of its points of contention, as recommended by the Strategic Review,

Condemning in the strongest terms all attempts to threaten the security and stability of Lebanon, *reaffirming* its determination to ensure that no such acts of



intimidation will prevent UNIFIL from implementing its mandate in accordance with Security Council resolution 1701 (2006) and recalling the necessity for all parties to ensure that UNIFIL personnel are secure and their freedom of movement is fully respected and unimpeded,

Recalling the relevant principles contained in the Convention on the Safety of United Nations and Associated Personnel,

Commending the active role and dedication of the personnel of UNIFIL and *expressing* its strong appreciation to Member States that contribute to UNIFIL and *underlining* the necessity that UNIFIL have at its disposal all necessary means and equipment to carry out its mandate,

Recalling the request from the Government of Lebanon to deploy an international force to assist it to exercise its authority throughout the territory and *reaffirming* UNIFIL's authority to take all necessary action in areas of operations of its forces and as it deems within its capabilities, to ensure that its area of operations is not utilized for hostile activities of any kind and to resist attempts by forceful means to prevent it from discharging its mandate,

Welcoming the efforts of the Secretary-General to keep all peacekeeping operations, including UNIFIL, under close review and *stressing the need* for the Council to pursue a rigorous, strategic approach to peacekeeping deployments,

Expressing its full support for the strategic priorities and recommendations identified by the Secretary-General in his letter of 12 March 2012 (S/2012/151) as a result of the Strategic Review of UNIFIL, and *requesting* the Secretary-General to continue updating the Council on the implementation of the Strategic Review,

Calling upon member States to assist the Lebanese Armed Forces as needed to enable it to perform its duties in line with resolution 1701 (2006),

Determining that the situation in Lebanon continues to constitute a threat to international peace and security,

1. *Decides* to extend the present mandate of UNIFIL until 31 August 2014;
2. *Commends* the positive role of UNIFIL, whose deployment together with the Lebanese Armed Forces has helped to establish a new strategic environment in southern Lebanon, *welcomes* the expansion of coordinated activities between UNIFIL and the Lebanese armed forces, and *calls for* further enhancement of this cooperation;
3. *Welcomes* in this regard the engagement of UNIFIL and the Lebanese Armed Forces in the Strategic Dialogue which aims at carrying out analysis of ground forces and maritime assets and setting a series of benchmarks reflecting the correlation between the capacities and responsibilities of UNIFIL vis-à-vis those of the Lebanese Armed Forces, with a view to identifying Lebanese Armed Forces requirements for implementing tasks mandated in resolution 1701 (2006), and, in this regard, is encouraged by the progress made in the formalisation of a regular Strategic Dialogue mechanism between the Lebanese Armed Forces and UNIFIL;
4. *Commends*, in this context, the Lebanese Armed Forces for its efforts regarding its wider capabilities development plan, of which the Strategic Dialogue plan forms a separate but integral component, consistent with the relevant recommendations of the Strategic Review, and consequently *calls for* an

enhancement of the coordination amongst donors to provide assistance to build up Lebanese Armed Forces capabilities including through training, as these forces are a central pillar of the country's stability;

5. *Strongly calls upon* all parties concerned to respect the cessation of hostilities, to prevent any violation of the Blue Line and to respect it in its entirety and to cooperate fully with the United Nations and UNIFIL;

6. *Urges* all parties to abide scrupulously by their obligation to respect the safety of UNIFIL and other United Nations personnel and to ensure that the freedom of movement of UNIFIL is fully respected and unimpeded, in conformity with its mandate and its rules of engagement including by avoiding any course of action which endangers United Nations personnel, and in this regard, *calls* for further cooperation between UNIFIL and the Lebanese Armed Forces in particular regarding coordinated and adjacent patrols, *welcomes* the commitment of the Lebanese authorities to protect UNIFIL movements and *reiterates its call* for the rapid finalization of the investigation launched by Lebanon regarding the 27 May, 26 July and 9 December 2011 attacks in order to bring to justice the perpetrators of these attacks;

7. *Urges* all parties to cooperate fully with the Security Council and the Secretary-General to make tangible progress towards a permanent ceasefire and a long-term solution as envisioned in resolution 1701 (2006), and *emphasizes* that more work remains to be done by the parties to advance the full implementation of resolution 1701 (2006);

8. *Urges* the Government of Israel to expedite the withdrawal of its army from northern Ghajar without further delay in coordination with UNIFIL, which has actively engaged Israel and Lebanon to facilitate such a withdrawal;

9. *Reaffirms* its call on all states to fully support and respect the establishment between the Blue Line and the Litani River of an area free of any armed personnel, assets and weapons other than those of the Government of Lebanon and UNIFIL;

10. *Welcomes* the efforts being undertaken by UNIFIL to implement the Secretary-General's zero-tolerance policy on sexual exploitation and abuse and to ensure full compliance of its personnel with the United Nations code of conduct, requests the Secretary-General to continue to take all necessary action in this regard and to keep the Security Council informed, and urges troop-contributing countries to take preventive and disciplinary action to ensure that such acts are properly investigated and punished in cases involving their personnel;

11. *Requests* the Secretary-General to continue to report to the Council on the implementation of resolution 1701 (2006), every four months, or at any time as he deems appropriate;

12. *Stresses* the importance of, and the need to achieve, a comprehensive, just and lasting peace in the Middle East, based on all its relevant resolutions including its resolutions 242 (1967) of 22 November 1967, 338 (1973) of 22 October 1973, 1515 (2003) of 19 November 2003, and 1850 (2008) of 16 December 2008;

13. *Decides* to remain actively seized of the matter.

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**Letter dated 23 August 2013 from the Permanent Representative
of the Democratic Republic of the Congo to the United Nations
addressed to the President of the Security Council**

On the instructions of my Government, I have the honour to draw the attention of the Security Council to the evolution of the security situation in North Kivu precipitated by the repeated attacks against the Forces armées de la République démocratique du Congo (FARDC) by the negative force Mouvement du 23 mars (M23), with the support of the Rwandan army.

1. Renewed fighting in North Kivu

M23 rebel terrorists began to attack Kibati on the night of Wednesday, 21 August 2013 from the trenches to which they had retreated near the border between the Democratic Republic of the Congo and Rwanda. The FARDC positions were compelled to defend themselves, with the effective support of the intervention brigade. The counter-offensive resulted in fresh setbacks for the attackers. In addition, the FARDC was able to destroy the M23 munitions depot in Kibumba. The depot burned throughout the day on 22 August 2013, which gives an idea of the volume of supplies that were sent from Rwandan territory to support this negative force.

In the early afternoon of Thursday, 22 August 2013, in two attacks, the M23 terrorists launched 11 shells at various districts of the city of Goma, in particular, the districts of Katindo Gauche, Murara, Office and the nearby suburb of Munigi. This shelling caused loss of human life and significant material damage; a woman and her three children were killed in Munigi and 12 people were seriously wounded. The Anglican school in the Office 2 district was seriously damaged, as was a building housing staff of the United Nations Organization Stabilization Mission in the Democratic Republic of the Congo (MONUSCO).

According to the initial reports from the experts, the largest number of rocket attacks originated in the territory of the Republic of Rwanda, specifically in the villages of Mukamira and Rugero in the border district of Rubavu and the village of Mahuku. It is clear that these vicious attacks were deliberately targeting the civilian population of Goma, given that the actual military confrontations between FARDC and the coalition known as M23 took place over 15 kilometres from the capital city of North Kivu. It thus follows that this matter concerns war crimes as defined by international law.



2. Allegations made by Rwanda against the Forces armées de la République démocratique du Congo

In a communiqué circulated yesterday, the Rwandan Government, represented by General Joseph Nzabamwita, spokesperson for the Rwanda Defence Force, accused the FARDC of having "deliberately fired rockets past the border with Rwandan territory. The bombs, which were launched from a 107 mm rocket, landed on the village of Bugu, in the neighbourhood of Busigari in the Cyanzarwe sector of the Rubavu district, at approximately 1300 hours on Thursday. The bomb landed in an urban area and damaged property. This act of provocation follows a similar incident reported, which took place on 15 July 2013, when the FARDC deliberately shelled the neighbourhoods of Kageshi and Gasiza in the Busasana sector of the Rubavu district on two occasions".

General Nzabamwita added that "Thursday's bombing was unprovoked and senseless" and that "the Government of Rwanda requested the Expanded Joint Verification Mission to visit the sector to verify Thursday's bombings".

It goes without saying that the Government of the Democratic Republic of the Congo refuted the allegations made by the Rwandan authorities concerning the bombings of 15 July 2013 and demonstrated that those bombings, if they in fact took place, must have been committed by the M23 mutineers, who wished to provide the Rwandan army with a convenient pretext that would justify the support it was already providing to M23. Taking all of that into account, we are facing the same scenario that preceded the Rwandan forces' invasion of Goma in November 2012. Rwanda Defence Force battalions were deployed towards the Congo and shells were fired at Rwanda from areas then controlled by M23 to provide a pretext for a Rwandan intervention in the guise of retaliation. Events are unfolding in the same manner today. As of yesterday, highly credible sources had already confirmed to both our Government and various entities of the international community that bombs, fired from Congolese territory, had indeed fallen on Rwanda without causing any casualties; but that it was M23 that had fired the bombs on Rwanda in order to accuse the Forces armées de la République démocratique du Congo (FARDC) and justify that country, which already supports M23 against the Democratic Republic of the Congo, going to war.

The information contained in the statement by the Rwandan Minister of Defence, reporting that FARDC deliberately fired a 107 mm rocket into Bugu village, in the Rubavu district, is unsubstantiated, as are many other widespread allegations intended to mislead public opinion. That is true of the allegation that FARDC, which is battling the M23 negative force, is supported by the Forces démocratiques de libération du Rwanda, a negative force. In all the time that Rwandan strategists have persisted in spreading this falsehood, no one has been able to produce any evidence to support this allegation. That is because it simply does not exist, and specific requests from the Congolese Government for written evidence in that regard, so that it might take action against any officer or soldier found guilty of such a crime, have gone unanswered.

Furthermore, it is important to note that these attacks by M23, supported by regular units of the Rwandan army, are merely delaying tactics, designed to disrupt and hinder the deployment of the intervention brigade.

Consequently, my Government requests that the Security Council:

1. Strongly condemn the attacks by the M23 negative force and its allies on the civilian population of Goma and the surrounding area.
2. Order the immediate and unconditional withdrawal of the regular units of the Rwandan army from the territory of the Democratic Republic of the Congo.
3. Invite Rwanda to respect the commitments that it entered into freely under the Framework agreement signed in Addis Ababa on 24 February 2013.
4. Consider the crimes committed by the M23 negative force and its supporters as war crimes and crimes against humanity, and ask the International Criminal Court to treat them as such.

My Government invites the Security Council to take action on this request and to arrange for it to be distributed as a document of the Security Council.

(Signed) **Ignace Gata Mavita**
Permanent Representative